

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

CHARLES A. RICHARDSON

Serial Number: To Be Assigned

Filed: Concurrently

For: PROCESS FOR RESTORING MAGNETIC
RECORDING TAPE DAMAGED BY "STICKY
SHED" SYNDROME

PETITION TO MAKE SPECIAL UNDER MPEP § 708.02(VIII)

The Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

The undersigned, Attorney of Record in the above-captioned U.S. patent application, submits this Petition to Make Special along with the Petition Fee of \$130.00 pursuant to 37 C.F.R. § 1.17(i). The reasons in support of this Petition are the following:

1. Claims 1-25 are directed to a single invention. It is respectfully submitted that all of the claims are classifiable in the same area of art. However, should the Patent and Trademark Office determine that all of the claims presented are not obviously directed to a single invention, Applicant will make an election without traverse of a single invention as a prerequisite to the grant of special status.

2. The undersigned is an experienced Intellectual Property Law attorney (Registration No. 30,722), with 8 years experience as an Assistant and Primary Examiner in the U.S. Patent and Trademark Office and over 21 years experience as a Registered Patent Attorney. In considering the field of search, based upon the subject matter of the present invention, it was determined that the most effective way to uncover the most pertinent prior art was to conduct a search using the computerized search systems available in the Public Search Room of the U.S. Patent and Trademark Office and to input keywords that would be most likely to lead to the uncovering of any possible pertinent prior art. Accordingly, the undersigned accessed the "WEST" computerized search system and inputted the following keywords: magnetic, tape, sticky, shed, adhesive, restore.

3. References uncovered during the course of the search described in paragraph 2 above that were deemed by the undersigned to be most closely related to the subject matter encompassed by Claims 1-25 are the following:

4,849,839 to Tsubota et al.	5,311,371 to Clark
5,080,825 to Bradshaw	5,638,236 to Scott
5,236,790 to Medeiros et al.	5,786,949 to Sakamoto.

4. Claims 1-25 are all believed to patentably distinguish from the prior art listed in paragraph 3 above. The present invention is directed to a process for restoring magnetic recording tape damaged by "sticky shed" syndrome. Applicant has discovered

that the culprit in the creation of the phenomenon known as "sticky shed" syndrome is the Backcoating of the tape that has been added to tapes since the late 1960s to improve the mechanical handling qualities of tapes by providing for a smoother tape wind and for reducing static build-up due to friction in the tape path of tape machines. Applicant has found that by removing the Backcoating from magnetic recording tape, the problems resulting from "sticky shed" syndrome are eliminated.

5. In the Background of the Invention section of the subject patent application, on pages 7-9 thereof, Applicant has explained, with particularity, why the claims patentably distinguish from the prior art patents listed above. Additionally, on pages 5-7, of the Background of the Invention section of the subject patent application, Applicant has disclosed his knowledge concerning certain printed publications of which he is aware, and the reasons why the claims patentably distinguish therefrom. In essence, prior to Applicant's invention, no one understood that the cause of "sticky shed" syndrome was the presence of the Backcoating and that by removing the Backcoating, the negative effects of "sticky shed" syndrome are also eliminated.

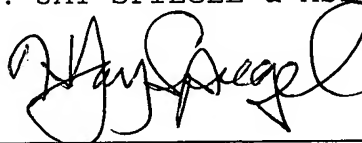
6. Each of Claims 1-25 recites a process including at least the step of removing the Backcoating. As such, it is submitted that each of the claims patentably distinguishes from the prior art known to Applicant.

For the reasons set forth hereinabove, it is respectfully submitted that the claims presented in this patent application, namely, Claims 1-25, patentably distinguish from the prior art cited herein and in the Background of the Invention section of the accompanying patent application, and that this Petition fulfills all of the requirements of MPEP § 708.02.

Accordingly, it is respectfully requested that this Petition be granted and that an early examination of Claims 1-25 on the merits be conducted.

Respectfully submitted,

H. JAY SPIEGEL & ASSOCIATES

A handwritten signature in black ink, appearing to read 'H. Jay Spiegel', is written over a horizontal line.

H. Jay Spiegel
Attorney for Applicant
Registration No. 30,722

H. JAY SPIEGEL & ASSOCIATES
P.O. Box 11
Mount Vernon, Virginia 22121
(703) 619-0101